

# Legislating End to Vietnam

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Despite mounting antiwar furor on Capitol Hill, it may be impossible for Congress to legislate an end to the war.

It can pressure the President, deal his prestige a severe blow, signal to the world that the Congress of the United States repudiates his policies.

But any legislation imposing a binding legal requirement for an immediate pull-out from Vietnam faces tre-

mendous legal and procedural obstacles.

Any binding legislation—either a cutoff of Indochina funds or a flat directive to the President to get out—must take the form of a bill, or an amendment to a bill, that must pass both chambers of Congress and be signed into law by the President.

In the Senate, which has already passed fund-cutoff proposals only to see them die in the House, Republicans have the weapon of

mounting a filibuster against the legislation.

Recalling that a bloc of GOP senators filibustered an antiwar amendment for nearly two months during the Cambodia operation three years ago, a top GOP aide said yesterday, "We may talk again for as long as it takes to get out of Vietnam."

Even if it should come to a vote, there is no certainty that a really tough, unequivocal Indochina pullout amendment can pass both

the Senate and House. A fund cutoff contingent on North Vietnamese release of prisoners squeezed through the Senate by only a 50-to-47 vote last year; a similar House amendment lost Aug. 10 last year, 229 to 177.

Even if it should pass both chambers this year, the end-the-war proposal could be vetoed by the President. It would then take a two-thirds vote of each chamber to override the veto. But in the foreseeable future, achieving a two-thirds ma-

## War May Prove Impossible

majority is politically impossible.

Nevertheless, if this impossible should somehow happen, the President still wouldn't be legally cornered—at least not absolutely. Any immediate fund cutoff able to muster the votes to pass would almost surely contain some precondition on release of prisoners and the safe withdrawal of U.S. forces.

Since the release of U.S. prisoners by Hanoi is one of the key issues in the current

cease-fire negotiations, end-the-war amendments tied to that condition would be moot so long as the negotiations are unresolved.

While trying to fulfil the prisoner-release condition, the President can also seek to obtain other concessions from the North Vietnamese and can also continue U.S. military involvement.

If the obstacles to Congress' succeeding in legislating an end to the war are so great, what's the point of all the effort, of the Democratic Party caucus declarations,

of the Foreign Relations Committee plans to take up fund cutoff legislation?

The real point is the political impact on the President. A majority vote in both chambers to cut off funds for the war without further guarantees to South Vietnam would be a repudiation of the President's policies. The rebuff would be all the sharper because, with many Southern Democrats still backing the President's position, the fund cutoff could be achieved only with substantial GOP defections.

It would be a signal that despite the President's enormous power to sway public opinion, a majority of Congress had decided, after soundings at home and searchings of conscience, that a substantial majority of the public favored an immediate end of the war come what may.

That is the kind of signal Presidents usually listen to; and that is why critics of the war are pressing ahead with their fund cutoff proposals despite all the procedural obstacles.